

# **Mississippi's Incredible Month: The Demise of the Sovereignty Commission and of Unprofessional Leadership at the Mississippi State Penitentiary, November 1973**

*By Christopher P. Lehman*

In November 1973 the Jackson, Mississippi, daily newspaper, the *Clarion-Ledger*, illustrated the inability of technological advancements to offset the exploitive nature of African American labor on cotton farms. An article proposed that new machinery had put an end to the traditional plantations on which scores of African American field hands worked in rows and rows of cotton. The story featured quotations almost exclusively from white planters, one of whom boasted, "The days of the sharecroppers who planted, plowed and picked the crops for one-half of the profits are long gone. One tractor can do the work of twenty mules and modern farming is so much faster." Although the equipment made work more efficient and less arduous for the few blacks remaining in the fields, they still performed their tasks under oppressive conditions. An African American laborer quoted in the article "recall[ed] years ago when he and his family spent more than five months each year picking cotton by hand while dragging a long gunny sack behind them, [but] is now able with this machine to do the work of 120 hand pickers." At the ripe old age of seventy-three, he was driving a mechanical cotton picker across a field near Tchula, Mississippi.<sup>1</sup>

The story had striking parallels to the sociopolitical status of African Americans in Mississippi at the time. Although they had won civil rights

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<sup>1</sup> "Farming Is Now Agribusiness in Mississippi," Jackson *Clarion-Ledger*, sec. B, November 7, 1973, p. 1.

victories throughout the 1960s, they still suffered from taxpayer-funded racial oppression. Scholars of the civil rights movement often identify as the end of the movement events such as the passage of federal laws banning state-mandated segregation in the mid-1960s or the assassination of the Reverend Dr. Martin Luther King, Jr., in 1968. By doing so, the authors ignore the responses of southern state governments to these developments. As late as November 1973, the government of Mississippi continued to resist desegregation. The Mississippi State Sovereignty Commission—the state’s anti-civil rights movement “spy agency”—still existed after seventeen years. In addition, the Mississippi State Penitentiary—one of the cruelest, most rigidly segregated, and most violent correctional facilities in the United States—had yet to employ its first professional penologist as superintendent in the seven decades since it opened.

However, Mississippi was about to be swept up by major achievements in black-white relations nationwide in November 1973. The cities of Detroit, Michigan, and Raleigh, North Carolina, elected their first African American mayors, and Pulaski, Tennessee—the birthplace of the Ku Klux Klan—had its first black mayoral candidate. Even hard-line segregationist politicians started seeking the favor of African American voters. Alabama governor George Wallace crowned the first black homecoming queen at the University of Alabama ten years after he had unsuccessfully tried to stop integration at that school. He also spoke to a meeting of black politicians who warmly received him.

Likewise, white Mississippians appeared ready to move beyond the state’s history of segregation. They were exhausted from the frequent battles over civil rights reform. They had lived through school desegregation, the rise of white academies (schools built by whites to counter Supreme Court-mandated school desegregation), and the integration of public facilities. These events did not lead to a revolution against Mississippi’s state government; rather, Mississippians adjusted to the changes. In response, the federal government and local black political activists decreased their pressure upon the state for civil rights reform.

Capitalizing upon the state’s improving racial climate and the nationwide black political progress, Mississippi governor William Waller pressed for the abolition of the Sovereignty Commission and for the hiring of a professional superintendent at Parchman. He repeatedly made public comments about his displeasure with the Commission and tried several times to terminate it. In addition, for nearly one year, he searched

for a trained penologist to take charge of the state penitentiary. He met with formidable resistance on both campaigns, but by the end of November 1973 he had achieved his goals and defeated the segregationists.

Long before 1973, Waller had established a reputation for confronting and challenging segregation. In the 1960s as Hinds County district attorney he prosecuted Byron de la Beckwith for the killing of local National Association for the Advancement of Colored People (NAACP) leader Medgar Evers. In his 1971 gubernatorial campaign, he broke with tradition and did not run on a segregationist platform. He defeated his opponents with promises to integrate the state government, abolish the State Sovereignty Commission, and make Mississippi "the state of change."<sup>2</sup>

The pro-desegregation climate leading to Waller' s election would not have happened without the activism of the civil rights movement and forceful action from the federal government. From 1961 to 1964, the young adults of the Student Non-violent Coordinating Committee (SNCC) worked in Mississippi to build "freedom schools" for African American children and to encourage local African Americans, especially in remote (and dangerous) rural areas, to push for voting rights. In 1964 the Civil Rights Act wiped out segregated facilities across the nation, and the 1965 Voting Rights Act led to dramatic increases of African American participation in elections. Four years later the Supreme Court ordered Mississippi to immediately desegregate its public schools, and in January 1970 the state entered the new era of integrated public education. For Waller, including blacks in state government was the natural next step in black political progress.

For over a decade, the Mississippi State Sovereignty Commission had tried to prevent these developments. The state legislature had established the Commission as a means of defying the Supreme Court' s 1954 *Brown v. Board of Education* school desegregation order. With support from four Mississippi governors and no opposition from an apathetic federal government, the agency had remained in existence. Its peak years were 1956–1964, before Congress passed the Civil Rights Act and the Voting Rights Act, and while U.S. presidents often turned a blind eye to the violence used to keep African Americans and whites separate. Governors J. P. Coleman (1956–60) and Ross Barnett (1960–64) used the

<sup>2</sup> Yasuhiro Katagiri, *The Mississippi State Sovereignty Commission: Civil Rights and States' Rights* (Jackson: University Press of Mississippi, 2001), 222.

agency to reinforce their commitments to maintain segregation. During Barnett's administration, the agency helped fund the Citizens' Council Forum, a radio and television program produced by the Association of Citizens' Councils of Mississippi, established in 1954 to thwart integration. The Commission also spied on local desegregation activists.<sup>3</sup>

After the federal government's new laws and court decisions went into effect, the Commission experienced difficulty in attempting to redefine itself. Governors Paul Johnson (1964-68), who called the National Association for the Advancement of Colored People "Niggers, Alligators, Apes, Coons, and Possums," and John Bell Williams (1968-72) struggled to balance their segregationist views with their duties to provide "law and order" in Mississippi. When the state began adhering to the federal laws pertaining to integration, the Commission's commitment to state sovereignty became obsolete. Waller realized this change and did not even try to rally the state to hold on to segregation.<sup>4</sup>

By November 1973 the Commission had few targets to police. The civil rights movement had fallen apart, its groups in disagreement about which issues to tackle after the Civil Rights Act and Voting Rights Act had ended legal segregation. Then civil rights activists began speaking out against the nation's involvement in the Vietnam War, and many supporters of the movement subsequently deserted it and stopped donating funds. On November 24, 1973, the Student National (formerly "Non-violent") Coordinating Committee held its last national conference. The Southern Christian Leadership Conference (SCLC) had spent that November planning an ill-fated series of demonstrations against the New Orleans annual Sugar Bowl college football game, calling for the sponsor—the Mid-Winter Sports Association—to integrate its membership. The project was the last extended campaign for which SCLC received national media attention. The Commission's more recent target—the anti-war movement—also lost steam. Activism in Mississippi against U.S. military activity in Indochina declined throughout the early 1970s as President Nixon gradually withdrew troops from South Vietnam and stopped sending draftees there. The cease-fire in January 1973 and the complete withdrawal of U.S. forces two months later struck mortal blows to the movement. By November activists protesting funding

<sup>3</sup> John Dittmer, *Local People: The Struggle for Civil Rights in Mississippi* (Urbana: University of Illinois Press, 1994), 96-97.

<sup>4</sup> "Trying to Paper It Over," *Time*, September 4, 1964, pp. 31-32.

of South Vietnam' s armed forces lobbied in Congress instead of disrupting college campuses. Noting how quiet universities were that fall, syndicated columnist William Rusher declared, "The youth revolution is over."<sup>5</sup>

However, the decline of the civil rights and anti-war movements did not slow down Sovereignty Commission activity during 1973. In accordance with the legislation establishing the agency, the body consisted of twelve members—three citizens appointed by the governor, five state legislators, and four ex-officio members (the governor, the lieutenant governor, the attorney general, and the Speaker of the House). The Commission teamed with other state agencies to confront minor problems. It kept tabs on local civil rights movement activity and paid special attention to "non-local participation" in Mississippi demonstrations. In March investigator Mack Mohead monitored the "Negro leadership" of the town of Clarksdale, saying that the leaders there stopped protests while waiting for a federal court to decide whether to readmit three suspended African American students. The Commission also policed newer, more radical groups like the Republic of New Africa (RNA). Civil rights activist Robert L. Williams had founded the RNA over a decade earlier, after his expulsion from the NAACP for his public advocacy of self-defense and the keeping of guns in African American homes. The RNA planned to celebrate March 30 and 31, 1973, as Solidarity Day and to offer such activities as "workshops, spiritual rallies, and other demonstrations." Investigator E. C. Fortenberry had acquired information from the RNA' s Solidarity Day planning committee that stated, "should the committee fail in its efforts to get a march permit, the leadership would not instruct anyone to march, but would leave that decision up to the prospective marchers themselves."<sup>6</sup>

To Waller, these activities did not warrant additional funding from taxpayers. In his election campaign he had promised to get rid of the

<sup>5</sup> "Report on Student National Coordinating Committee," December 11, 1973, File of the Student Non-Violent Coordinating Committee, Federal Bureau of Investigation; Don Lewis, "Sugar Bowl in Peril-Blacks," *New Orleans Times-Picayune*, November 30, 1973, p. 6; J. Douglas Murphy, "Unit May Block Gates to Bowl," *New Orleans Times-Picayune*, December 27, 1973, p. 1; "Peace Groups to Switch to Lobbying in Congress," *New York Times*, October 30, 1973, p. 11; William A. Rusher, "Phony, Fair-Weather Youth Revolution Is Over," *Baltimore Sun*, October 20, 1973.

<sup>6</sup> Minutes of the Mississippi State Sovereignty Commission, March 28, 1973, Files of the Mississippi State Sovereignty Commission, Mississippi Department of Archives and History (hereafter Minutes), I.D. # 99-216-0-9-2-1-1; Laws of Mississippi, 1956, regular session, 520.

Commission and had tried unsuccessfully to do so in 1972. He showed his disdain for the organization by refusing to attend any of the meetings. Finally, without warning, on April 17, 1973, he vetoed funding for the Commission for fiscal year 1974; consequently, the agency lost its office and staff as of June 30, 1973. Waller declared that the Commission offered "no real indispensable services to the people of this state." Agency director Webb Burke begged to differ: "We' ve been investigating matters of public interest to tax-supported institutions." He failed to mention specific examples, his rebuttal illustrating the agency' s lack of focus in recent years. It had not transformed itself into a "watchdog" of something other than segregation.<sup>7</sup>

Waller issued his veto of funding for the secretive Commission at a time when unfavorable clandestine activities conducted by the federal government were frequently revealed by the press. Only two years had passed since the publication of the Pentagon Papers—federal documents outlining the growing U.S. commitment to the Indochina Conflict in the 1960s. In addition, in 1973 a scandal unraveled regarding the 1972 break-in of the Democratic National Headquarters at Washington, D.C.' s Watergate Hotel. The months that followed were full of resignations from President Nixon' s top aides and startling revelations at the Senate Watergate Hearings concerning illegal activities by his administration. Before the end of the year, a politically weakened Nixon was reduced to telling the nation, "I' m not a crook." Meanwhile, the Commission' s federal counterpart—the Federal Bureau of Investigation (FBI)—suffered its own scandals. The organization stopped its Counter-Intelligence Program (COINTELPRO), which involved the infiltration and sabotage of groups considered pro-Communist or un-American, but only after its existence was leaked to the public in 1971. Two years later the FBI reeled from its own Watergate-related scandal. In late April, Interim Director L. Patrick Gray, who assumed the position upon the death of J. Edgar Hoover in 1972, stepped down from the office after reporters had found that he shredded documents pertaining to one of the Watergate defendants.<sup>8</sup>

<sup>7</sup> "Funds Vetoed for Mississippi Board That Fought Civil Rights," *New York Times*, April 22, 1973, p. 28.

<sup>8</sup> Fred Emery, *Watergate: The Corruption of American Politics and the Fall of Richard Nixon* (New York: Times Books, 1994), 348.

The Commission attempted to save itself despite growing public distaste for secret government activity. The agency sought to have Waller' s veto declared invalid. It begged the state attorney general' s office to research the possibility of nullifying the veto. The Commission argued that the appropriations bill remained on Waller' s desk too long for him to have legally vetoed it. However, the attorney general' s office noted that the issue of time was irrelevant. "The appropriation, in order to be final and available to the Commission, requires action by the *entire legislative machine, including the Governor*, and an act vetoed by the Governor is of no effect," responded the office in a letter to Burke.<sup>9</sup>

Despite this setback, the Commission stubbornly refused to die. In the agency' s June 8, 1973, meeting, members looked for legal loopholes that could be used to enable the organization' s survival. Attorney General A. F. Summer told his fellow members that the termination of funds did not repeal the law that had established the Commission. Therefore, the agency existed but without funding. He also stated that Governor Waller' s veto applied only to the period from July 1 until the reconvening of the legislature the following January, at which point the lawmakers could still override the veto and restore the Commission' s appropriation. Relieved, the members decided to ask the Legislative Audit Committee to employ the Commission' s investigators, a transfer they considered temporary, referring to the investigators as "on loan" to the committee.<sup>10</sup>

Two weeks later the agents devised further provisions for placing the Commission on hiatus instead of permanently dismantling it. On June 22, in the agency' s last meeting before the funding stopped, the members unanimously decided to execute a lease for the Commission' s office space through January 15, 1974. Thus, if the veto were overridden in the Legislature' s early sessions, the Commission would receive its money before the lease' s expiration. In addition, the agency' s members, returning the favor of the Legislative Audit Committee' s willingness to temporarily hire the Commission' s investigators, agreed to allow the committee to use the office space during the interval whenever it wished. The Commission was united in its stubbornness; of its twelve members, eight had attended that meeting in a vow to fight on. Accordingly, they also unanimously

<sup>9</sup> W. D. Coleman, letter to Webb Burke, June 22, 1973, in Minutes, I.D. # 99-216-0-5-4-1-1.

<sup>10</sup> Minutes, June 8, 1973, I.D. # 99-216-0-5-5-1-1.



approved a motion to meet on November 9, 1973, apparently not believing the *New York Times*, which reported that "Prospects for the Legislature to override the Governor's veto of the appropriation are considered slim."<sup>11</sup>

The November meeting indeed took place, but it revealed the agency as a shell of its former self. Only four of the dozen members attended. In addition, two of the ex-officio members—Lieutenant Governor William Winter and Attorney General Summer—sent their representatives. Even the members who had moved and seconded for the meeting were absent. State senator Perrin Purvis, first appointed by Governor Paul Johnson in 1964, had the longest period of service of all the current members and had previously chaired meetings in the absence of ex-officio members. His absence, after having made the motion for the meeting and having served a near-decade as a member, would have left a definite void, for he would have been the logical member to testify for the Commission's survival.<sup>12</sup>

However, powerful politicians that had lengthy histories with the Commission did turn out for the November session. Deputy Attorney General W. D. Coleman, representing Attorney General Summer at the meeting, had worked with the agency while holding that same office in the mid-1960s. He was the deputy attorney general in the administration of Governor Johnson, who had won election by touting his prohibition in 1962 of African American University of Mississippi applicant James Meredith. Coleman bore the unfortunate responsibility of writing the letter to the Commission that explained why Governor Waller's veto was valid. He "sincerely regret[ted]" the news he had to give. However, he remained hopeful of the agency's survival. After all, his own brother, former governor J. P. Coleman, signed into law the 1956 legislation that created the Commission. A defiant Deputy Attorney General Coleman wrote to the group, "[The] Governor's veto simply effectively ends the operation of the Sovereignty Commission insofar as funding is concerned. In all other matter, it is very much alive." This language ran contrary to media commentary about the effect of the veto. The *New York Times*, for example, stated, "The long, secrecy-shrouded career of the State Sovereignty Commission that sought to frustrate the civil rights move-

<sup>11</sup> Minutes, I. D. # 99-216-0-4-3-1-1; "Funds Vetoed for Mississippi Board That Fought Civil Rights," 28.

<sup>12</sup> Minutes, November 9, 1973, Official Records of the Attorney General's Office, Mississippi Department of Archives and History, I. D. # RG48, Series 1778, Box 7642.



ment in Mississippi in the nineteen-fifties and nineteen-sixties is apparently ending.”<sup>13</sup>

Webb Burke, Commission director since 1968, joined Coleman in supporting the agency with his presence at the meeting. Former governor John Bell Williams, considered one of the state's most pro-segregation leaders, had appointed Burke. The Commission had become expensive to maintain, thanks to the governor and the director. Williams wanted the agency to improve its investigative capabilities. Accordingly, Burke increased spending on investigators by thirty percent in fiscal year 1969 and by between thirty and forty percent again the following year. The director said in June 1973 that he did not think that the agency should remain in operation without funds until January, and he remained resolute in shutting down the office after June 30. But there he was, almost five months after the office closing and consequently without state pay, listening to members discussing ways to keep the Commission alive. The November 9 meeting minutes honor him accordingly by listing him among the present members for the first time, although his comments had always appeared in earlier meetings' minutes. The document also noted Burke as the current, not former, agency director.<sup>14</sup>

The minutes of the meeting—the final one for the Commission—revealed not only the agency's desperation to survive but also its bitterness towards the man responsible for removing the funds. In the organization's last official act, the members unanimously requested the state House of Representatives and Senate to “pass House Bill No. 1273 of the Regular 1973 Session of the Mississippi Legislature, being an act making an appropriation in the total sum of \$118,991.00 to defray the expenses of the Mississippi State Sovereignty Commission for the fiscal year 1974, notwithstanding the veto thereof by Governor William Waller on April 17, 1973.” The governor was *persona non grata* as far as the Commission was concerned. Although Waller was an ex-officio member of the agency be-

<sup>13</sup> W. D. Coleman, letter to Charles Fraley, August 4, 1967, Files of the Mississippi State Sovereignty Commission, Mississippi Department of Archives and History (hereinafter Commission Files), I.D. # 4-0-4-80-1-1-1; Coleman, letter to Webb Burke; “Funds Vetoed for Mississippi Board That Fought Civil Rights,” 28.

<sup>14</sup> James Dickerson, *Dixie's Dirty Secret: The True Story of How the Government, the Media, and the Mob Conspired to Combat Integration and the Vietnam Antiwar Movement* (Armonk, N.Y.: M. E. Sharpe, 1998), 177, 185; Katagiri, *The Mississippi State Sovereignty Commission*, 225; Minutes, November 9, 1973.

cause of his governorship, the minutes of the November meeting did not recognize him as an absent member that day. A motion to poll absent members on their responses to the question of requesting the Legislature to override the veto excluded Waller; after all, he had made his position clear by issuing the veto.<sup>15</sup>

Although the Commission lamented Waller's opposition to the agency, the attendees of the November meeting did not unanimously vote to save it. Proxy members W. D. Coleman and Secretary of the Senate Jesse White, who represented Lieutenant Governor Winter, abstained and specifically wanted the meeting's minutes to reflect their decision. The abstention was unprecedented for them. Both had attended several previous Commission sessions because the ex-officio members sent them in their stead. They had voted on motions related to the agency's activity. Before April the Commission had received the reluctant support of Waller, who occasionally sent his own representative. By November, however, a vote to keep alive an agency that the governor had wanted abolished was an act of defiance against him. If White and Coleman had approved the motion, they would have expressed disapproval of Waller's veto in the names of two members of his own administration—the lieutenant governor and the attorney general. Even if the Commission had counted Burke as an actual member and had included his vote, only five of thirteen people—less than a quorum—would have voted to save the agency.<sup>16</sup>

The press joined the majority of the Commission membership in ignoring the November 1973 meeting. Agency meetings were closed-door sessions, but upon adjourning the participants always discussed their feelings about the agency's progress to journalists waiting outside the meeting room. However, no newspaper offered any coverage of that final meeting. Also, with the Commission office closed, responsibility fell to the office of the attorney general to coordinate the meeting. Attorney General Summer did not attend and may not have informed the press. If the press knew, then reporters may not have considered the gathering of less than half of a politically impotent and financially insolvent agency a newsworthy event.

The poor attendance of that final meeting finished the Commission. After nearly five months without money, the absent majority did not

<sup>15</sup> Minutes, November 9, 1973.

<sup>16</sup> Ibid.

find the agency worth saving, ultimately agreeing with Waller via silence that the Commission no longer served a useful purpose but rather wasted money that other departments could more constructively spend. Perhaps the eight missing members had received pressure from constituents to let the Commission rest in peace. Then again, they may not have particularly missed the agency after four months. Or they may have wanted it to survive but did not bother to spend the necessary energy raising support for an unlikely override. Regardless, when the 1974 Legislature convened in January, no lawmaker even tried to resurrect the agency. If two-thirds of the Commission had not bothered to rescue it two months earlier, why should the legislators have cared enough to do so?

As the Commission died in November 1973, Governor Waller focused on finding professional leadership of the only state correctional facility in Mississippi. When he appointed California penologist Jack Reed to serve as Mississippi State Penitentiary' s new superintendent on November 28, 1973, the new hire had a considerable challenge before him. The prison (a.k.a. Parchman Farm) had fallen upon hard times over the past fifteen years because of scandals involving the arming of convicts (i.e. trusty shooters), graft, abuse of prisoners, and deteriorating conditions of buildings.

Parchman was one of the last surviving remnants of segregation, housing convicts by race and forcing inmates to work in the prison field to produce crops. In recent years, it had served as a tool for punishing advocates of desegregation. The state courts sent arrested civil rights workers to the prison. In 1961, for example, African American activists sitting in the "white" sections of interstate buses were sent to Parchman' s maximum security building, although the Supreme Court had desegregated interstate travel. President John F. Kennedy refused to enforce the decision in order to avoid confrontation with his fellow democrats in the state, and Mississippi officers in return arrested the "Freedom Riders" without publicly inflicting violence upon them. Although Parchman made slight reforms in the late 1960s and early ' 70s, it still practiced racial discrimination in its most violent forms.

As with school desegregation, a federal court provided the impetus for racial progress at the Mississippi State Penitentiary. On October 20, 1972, Mississippi' s northern district' s federal chief judge, William Keady, ordered changes at Parchman including the racial desegregation of prison housing, the total replacement of trusty shooters with civilian guards,

and the hiring of a professional penologist. He gave the prison the deadline of June 1973. Keady's verdict also shared with *Brown v. Board of Education* the wrath and resistance of numerous Mississippians who grumbled about Keady and the cost involved in the implementation of his orders.

Keady's decision showed that although born in Mississippi, he was a maverick. He felt sympathy for the disenfranchised—a quality that did not endear him to his white fellow Mississippians. He had come from an immigrant family, and his father had owned a bar that closed because of prohibition. He intently listened to civil rights activists testify about discrimination they faced. One of the prisoners catching his attention was Nazareth Gates, an inmate at Parchman who sued the facility on the grounds that some of its practices violated his civil rights. Gates's lawsuit and Keady's verdict in *Gates v. Collier* brought about the prison's first significant operational changes since its opening at the turn of the twentieth century. The judge's lack of support from others in the state government showed how radical they thought his decision was.<sup>17</sup>

Waller had unwittingly contributed to Keady's verdict by appointing as superintendent an in-law with no training in penology. Like his predecessors, John Allen Collier entered the office in February 1972 with knowledge of operating a large farm but not a prison. He was the unfortunate defendant in the case decided by Judge Keady. However, Governor Waller did not immediately terminate his relative, despite the judge's directive for a professional penologist at Parchman. Collier himself would force his own departure in December by pilfering money from the prison. Previous superintendents had also misappropriated funds, but now the federal government was watching Parchman. When ordered to return what he had stolen, Collier quit, leaving Waller to salvage the penitentiary.<sup>18</sup>

The governor faced a vicious circle, for although the state needed a superintendent trained in penology, qualified applicants were dismayed by Parchman's lack of professionalism. Collier and previous superintendents had secured their positions because of their farming experience or through nepotism or both. State politicians delayed the search

<sup>17</sup> "Broad Prison Reform Ruled," *New Orleans Times-Picayune*, October 21, 1972, p. 1; Kay Mills, *This Little Light of Mine: The Life of Fannie Lou Hamer* (New York: Dutton, 1993), 243–44.

<sup>18</sup> William Banks Taylor, *Brokered Justice: Race, Politics, and Mississippi Prisons, 1798–1992* (Columbus: Ohio State University Press, 1994), 204–05.

via their stinginess with the budget; they did not want to pay the money necessary to attract a viable candidate for superintendent. No applicant, in turn, wanted to work at a penitentiary that lacked political support and adequate pay. In addition, interviewees from out of state were surprised at the sight of armed convicts.

Parchman was also visually and geographically unappealing to applicants. It was a rural, remote, and vast plantation. Worse, it was in poor physical condition—not just the convicts' quarters but also the superintendent's residence. At a press conference on November 7, a frustrated Governor Waller blamed the delay in the job search upon the job stipulation requiring the superintendent to live on the prison grounds: "I don't think Parchman is as bad as many people believe it is. But after [ten] months we had not had a qualified person willing to take the job and live there. This probably wouldn't be true if the superintendent lived somewhere else like Jackson and worked at Parchman with a group of wardens."<sup>19</sup>

The prison also failed to secure qualified people because the state offered too low a salary for the superintendent position. None of the applicants chose to work at Parchman for only \$17,000 per year. To be sure, the superintendent position came with financial bonuses, but they existed at the taxpayer's expense. Such examples of graft included, according to Parchman historian William Banks Taylor, the purchasing of new suits recorded officially as "uniforms" and buying beef from the prison farm at ridiculously low prices. The federal government later agreed to supplement the salary by \$15,000, but no takers were immediately forthcoming.<sup>20</sup>

Near the end of the search, impatient commentators began to speculate that the state government did not really intend to implement and enforce Keady's orders. "There are still employees [*sic*] at the prison who are cousins and uncles and other relatives of political figures in Mississippi who are not ready to give up their jobs," reasoned the *New Orleans Times-Picayune*. They wanted to use their familial connections in the state government to prevent the arrival of someone ready to fire them. One year and eight days after Keady's verdict, the newspaper lamented

<sup>19</sup> Edwards, 1.NEED FULL CITATION

<sup>20</sup> Taylor, *Brokered Justice*, 205.

that "there is no real prospect that a professional prison man will be brought on board any time soon."<sup>21</sup>

As the search dragged on, the prison had a reluctant and severely unqualified interim superintendent. In December 1972 Indianola chief of police William I. "Bill" Hollowell agreed to perform the job on a temporary basis. As to why Hollowell received the appointment, Col. Tyler Fletcher—a member of the State Penitentiary Board at the time—reasoned that the chief "wouldn't disturb" Parchman's system of political graft and perks as super, although the super job was "not his cup of tea." As an elected official, "he got along with everybody" in Mississippi. Donald Cabana—Hollowell's former colleague at the penitentiary—elaborated: "Hollowell was not highly regarded while he was here. He really had no experience to qualify him for the job. Basically he was viewed as a temporary, minor inconvenience. He never got around to implementing the court orders because the state's gameplan was to drag its feet at every turn." On the temporary superintendent's legacy, Cabana said, "Hollowell is barely remembered by anyone here today."<sup>22</sup>

Hollowell was not an ideal choice for securing the rights of Parchman's mostly African American prisoners. The segregationist law enforcer had a history of denying African Americans their civil rights. While serving as sheriff of Sunflower County in the mid-1960s, he possessed enormous power to oppress African Americans. He held office during Freedom Summer, in which students of various ethnic groups poured into the state in 1964 to educate local African Americans and train them for voting rights activities. The sheriffs of the counties where the students lodged arrested many of them for minor and sometimes nonexistent offenses and assisted the Commission's surveillance of the activists. Hollowell himself gave the agency a Freedom Democratic Party member's name, birth date, and post office box number, as well as her father's name and address. Commission investigator Tom Scarbrough recorded that the sheriff was "expecting more trouble by racial agitators to begin as soon as the presidential election is over."<sup>23</sup>

<sup>21</sup> W. F. Minor, "State Drags Feet in Parchman Case," *New Orleans Times-Picayune*, sec. 2, October 28, 1973, p. 2.

<sup>22</sup> Col. Tyler Fletcher, telephone conversation, November 26, 2002; Dr. Donald Cabana, letter to author, June 10, 2004.

<sup>23</sup> A. L. Hopkins, letter to Erle Johnston, September 7, 1965, Commission Files, I.D. # 3-184-0-106-1-1-1; Weekly report of Tom I. Scarbrough, October 22, 1964, to October 29, 1964, Files, I.D. # 2-62-2-31-3-1-1.

Sheriff Hollowell abused not just the students but also Sunflower County' s African American population at large. However, he was no worse than sheriffs in other counties in Mississippi during the year of Freedom Summer. He followed the lead of his colleagues in allowing white vigilante enforcement of laws discriminating against blacks. On September 29, 1964, he imposed a curfew in Sunflower County. White men in Indianola enforced it "with clubs and revolvers. . .[and] drove Negroes off the streets," according to a report in the *Harvard Crimson*.<sup>24</sup>

Hollowell was selective in his enforcement of laws. Although he ensured the obedience of the curfew law, he did not enforce the Fifteenth Amendment to the U. S. Constitution, which grants all indigenous U.S. citizens the right to vote, regardless of color. He possessed the power to refuse to protect the rights of African Americans because he felt no pressure from any level of government in the executive branch. In 1964 Governor Paul Johnson told reporters covering the disappearance of three civil rights workers in Mississippi that their absence was a hoax. "They could be in Cuba," he guessed. Meanwhile, on the federal level, President Lyndon Johnson, a southern Democrat, did not hold states accountable for their violations of the Fifteenth Amendment because he needed the support of his fellow "Dixiecrats." After all, 1964 was an election year, and he wanted to be an elected president instead of merely an unelected replacement for the late John F. Kennedy. In this climate of apathy from people sworn to enforce the laws, Hollowell had no reason to fear repercussions for neglecting his duties. Accordingly, he allowed Sunflower County' s registrars to refuse to register the county' s African American population. Also, his officers arrested civil rights workers for minor traffic violations.<sup>25</sup>

Six years later, the state of civil rights had changed, but Hollowell had not. Now the chief of police at Indianola, he reported activities or lack thereof to Commission investigator Mack Mohead on a weekly basis through 1972. By the 1970s, however, Hollowell admitted that for several weeks at a time no activity was taking place. Meanwhile, without any major, active groups like the NAACP or SNCC in Indianola, he decided to target members of political liberal or pro-civil rights organizations on the suspi-

<sup>24</sup> Peter Cummings, "A Typical Week in Mississippi: COFO Hears of Many Incidents," *Harvard Crimson*, October 7, 1964, p. 3.

<sup>25</sup> "Grim Discovery in Mississippi," *Time*, August 14, 1964, p. 17; Mills, *This Little Light of Mine*, 174.



cion that these groups aided the movement. Even government offices were not exempt. In a bulletin from 1971, Hollowell asked the Commission to see if officials from the Office of Urban Renewal, in town to help recent tornado victims, were "active in Civil Rights Activities."<sup>26</sup>

Even after becoming Parchman's interim superintendent, Hollowell and the Commission kept communicating. In November 1972 Governor Waller put the agency to work for the first time in his tenure by having them investigate corruption at the prison. By January 1973 the Commission had begun screening applicants for jobs at the prison and reporting the findings to Chief Hollowell. Waller's reluctance to find cases for the agency and to appoint members had kept the Commission dormant for ten months after his inauguration. He stood to gain by activating the organization to look into the prison, as it signified some progress that he could report back to Judge Keady.<sup>27</sup>

Despite Hollowell's imperfections, several progressive changes took place during his tenure. For example, Parchman welcomed its first African American State Penitentiary Board member (Cleve McDowell) and its first African American assistant superintendent (Clifford Jennings). Employees told the *New York Times* that the facility had stopped appointing new trusty-shooters, although it had not yet removed the present ones. Then in January 1973 the penitentiary opened its doors to local African American civil rights activists like Fannie Lou Hamer for the first time. Also, Hollowell created the Prisoners' Advisory Committee, a grievance body serving as a communication link between the administration and the prisoners.<sup>28</sup>

Still, on the whole, progress was slow in coming. In July 1973, one month after Keady's deadline for the facility's drastic changes, Parchman security chief Danny Thomas testified in federal court that he still had twenty-three trusty-shooters on his security force. Although the prison had hired 120 civilian guards over the past few months, their turnover rate was at sixty percent. Moreover, Thomas did not have enough

<sup>26</sup> Weekly report of Mack Mohead, March 29, 1971, to April 2, 1971, Commission Files, I.D. # 8-20-2-66-1-1-1.

<sup>27</sup> W. F. Minor, "Disappearance of Parchman Parts, Food Is Investigated: Probers from Sovereignty Agency at Work," *New Orleans Times-Picayune*, November 15, 1972.

<sup>28</sup> Mills, *This Little Light of Mine*, 298; "Despite Killings and Court Order, Mississippi Penitentiary Still Uses Armed Trusties," *New York Times*, January 27, 1973, 14; W. F. Minor, "New Prison Head Makes Own Rules," *New Orleans Times-Picayune*, sec. 2, January 13, 1974, p. 2.

guards to allow some of them to adequately train the new hires. Embarrassed, Governor Waller offered the excuse that the penitentiary was still in "a transition period" from the shooter system to the employment of civilian guards. He added that, in addition to an inadequate number of guards already employed, not enough people were applying for that position. He therefore reasoned that Parchman needed "trusties" in the meantime and asked Keady for patience with the prison.<sup>29</sup>

Finally, on November 28, 1973, Governor Waller and Judge Keady saw the day they had long awaited. Waller appointed Reed as the new superintendent at Parchman. The state had the greatest confidence in him. According to Col. Fletcher, Reed scored high on the state' s IQ test, and the penitentiary board was very impressed with him. Charles Riddell-chairman of the State Penitentiary Board-considered Reed "highly qualified and experienced," and he noted the new appointee' s eleven years of experience in California' s Department of Corrections and "remarkable ability in several areas of prison administration." To Riddell, the Board was "extremely fortunate" that Reed accepted the job.<sup>30</sup>

Reed made his intentions for the prison immediately known. At a press conference, after Waller introduced Reed as the new superintendent, Reed declared that he was no state puppet but rather his own man on the job. He bragged, "I will have the responsibility for hiring and firing without any interference from the board or the governor' s office." He further stated, "I was assured [by Waller] I will be given a free hand at Parchman without reference to politics." This separation of penology from politicians meant only bad news for the "cousins and uncles and other relatives" of elected state officials.<sup>31</sup>

Reed quickly turned his words into action, arriving at Parchman ten days ahead of schedule, on December 22, 1973. According to the *New Orleans Times-Picayune*, "Hollowell, who was supposed to remain on for a month or so to permit an orderly transfer, quickly found that the only

<sup>29</sup> Ron Harrist, "Prison Beatings Case Continues," *New Orleans Times-Picayune*, sec. 7, July 26, 1973, p. 14; James Saggus, "Penitentiary Guards Are Suspended for Brutality," *New Orleans Times-Picayune*, sec. 7, July 19, 1973, p. 14.

<sup>30</sup> Fletcher, telephone conversation; Weekly News Summary, December 5, 1973, Papers of the Governor' s Office-Administration of William L. Waller, Mississippi Department of Archives and History.

<sup>31</sup> W. F. Minor, "New Parchman Chief Selected," *New Orleans Times-Picayune*, November 29, 1973.

thing Reed wanted out of him was to clean out his desk and get going. So that is what he did." Shortly thereafter, Reed took the gunmen out of the fields and rid the prison of all the trusty-shooters. At the time, two hundred inmates were working on the farm. Reed solved the problem of too few civilian guards by requesting that Governor Waller send state highway patrolmen to work in that capacity until more civilian guards became available. Reed also integrated the racially segregated buildings that housed the inmates. Col. Fletcher recalled that Reed burned the prison's 2,000 old, urine-stained mattresses and brought in new ones. Donald Cabana assessed, "Basically what Jack did was carry out the federal court order that had already been handed down by Judge Keady."<sup>32</sup>

Because he caught the state off guard, Reed was effective at implementing the verdict. Waller kept the new superintendent's early start at Parchman a surprise. The tactic was clever because if either person had given penitentiary employees any advanced notice of Reed's arrival, the staff would have had time to build up resistance to the West Coast "Yankee." Even the State Penitentiary Board received no warning. The Governor's refusal to disclose the facts to the board and the prison showed that he did not trust them. The secret planning represented Waller's ironic worry that people committed to incarcerating lawbreakers would disobey Judge Keady's order by sabotaging Reed's tenure.

Reed made few friends there not only because of his refusal to involve co-workers in his plans but also because of his confrontational demeanor. Donald Cabana remarked, "Jack was a very colorful, swashbuckling type of warden." Cabana added, "He had a tendency to alienate those around him. And to pick unnecessary political fights with those he considered his adversaries—which included almost everyone at one time or another." Cabana's comments corroborated a January 1974 report from the *New Orleans Times-Picayune*. According to the newspaper, Reed "proceeded to swing a heavy axe at the prison and spend money at a fast clip without telling the board." Reed showed his distrust of the people with whom he worked by imposing his will on them instead of presenting himself as part of a team. Said the article, "In one instance, he started out declaring [to

<sup>32</sup> Minor, "New Prison Head Makes Own Rules," 2; Jack Elliott, "Prison Farm Shows Profit in Operation," Jackson *Clarion-Ledger*, December 20, 1973, 1; Fletcher, telephone conversation; Taylor, *Brokered Justice*, 206; Cabana, letter to author.

the board] that he was ‘ asking for your help in fixing my priorities,’ then stopped and said, ‘ No, I’ m not asking you, I’ m telling you what my priorities are.’ ” Mississippi legislators had never heard such rhetoric from a state worker.<sup>33</sup>

Reed also fostered hard feelings among Parchman employees by bringing most of his friends with him from California to work with him at the prison. Donald Cabana recalled, “What really did him in though was that he brought in way too many friends from California. They occupied all the top administrative posts.” A worse problem was their condescension towards the Mississippians. According to Cabana, “they treated everyone like Yahoos. They became known as the ‘ California Mafia.’ ” He considered the resentment from Mississippians towards Reed’ s “Yankees” an unfortunate lasting legacy at Parchman: “There is still bitterness and resentment toward the California folks. Not so much Jack as his henchmen.” Reed himself gets “mixed reviews” today.<sup>34</sup>

Reed compounded his problems at Parchman with his alcoholism. Cabana remembered, “Jack was a very heavy drinker, and he was not your docile, friendly drunk.” Such behavior only further alienated him from his colleagues and made him more vulnerable for dismissal from the penitentiary. Rumors quickly abounded regarding his inebriation on the job. Parchman historian William Banks Taylor wrote about Reed’ s climbing a tree while inebriated to show his physical prowess as a former lumberjack but then falling from it and hurting himself.<sup>35</sup>

Still, the superintendent survived considerably longer than expected. The *New Orleans Times-Picayune* had predicted after Reed’ s first two weeks on the job that “Mississippi and Jack Reed . . . don’ t appear to be long for each other.” Parchman Farm underwent intense turmoil in the mid-1970s, making the facility an even less attractive, more dangerous place to work. His integration of the prison dormitories led to escalating racial tensions among inmates. Then in 1975 Judge Keady demanded from the prison the destruction of its quarters for convicts and replacement of them with standard cell dormitories. Legislators complained to both Waller and Reed about the high cost of Parchman’ s renovations.

<sup>33</sup> Cabana, letter to author; Minor, “New Prison Head Makes Own Rules,” 2.

<sup>34</sup> Cabana, letter to author.

<sup>35</sup> Cabana, letter to author; Taylor, *Brokered Justice*, 207.

Still, Reed remained at the prison, because his lack of concern for the feelings of the politicians allowed him to stay focused on his job. He also had the approval of several people. Col. Fletcher remembered Reed as “well-grounded and honest.” Prisoners saw him as “hard” and “fair.”<sup>36</sup>

The “Reed Revolution” at the prison lasted barely two years. In the end he picked a fight with the wrong person and no longer had the protection of Governor Waller. Mississippi law at the time prevented governors from succeeding themselves, and Reed became increasingly vulnerable as superintendent when Waller left office in January 1976. Two months later, the state’s new governor, Cliff Finch, fired the penitentiary leader. Reed had quarreled with and subsequently terminated a Parchman employee who had allies on the Penitentiary Board. Cabana summed up his friend’s tenure succinctly and accurately: “I liked Jack personally, we were friends. But he continually shot himself in the foot.”<sup>37</sup>

Reed’s dismissal merely ended the first chapter of the history of Mississippi’s race relations after November 1973. His declaration of independence from Mississippi politicians at his first press conference signaled the end of Parchman’s rigid segregation and trusty-shooter system. Also, as November ended, African Americans and local liberal organizations no longer had to fear the tactics of the state’s “spy agency.” The demise of the Commission and the hiring of Reed in the same month were the common results of forces that had been set in motion by the civil rights movement. Together they marked the end of the process of dismantling formal, state-sponsored white supremacy in Mississippi.

<sup>36</sup> Minor, “New Prison Head Makes Own Rules,” 2; Taylor, *Brokered Justice*, 206-07, 209; Fletcher, telephone conversation.

<sup>37</sup> Taylor, *Brokered Justice*, 209; Cabana, letter to author.